

LATHAM & WATKINS LLP
Daniel M. Wall (SBN 102580)
dan.wall@lw.com
Timothy L. O'Mara (SBN 212731)
tim.o'mara@lw.com
Andrew M. Gass (SBN 259694)
andrew.gass@lw.com
Kirsten M. Ferguson (SBN 252781)
kirsten.ferguson@lw.com
505 Montgomery Street, Suite 2000
San Francisco, California 94111-6538
Telephone: +1.415.391.0600
Facsimile: +1.415.395.8095

*Attorneys for Defendant Live Nation
Entertainment, Inc. and Defendant and
Counter-Claimant Ticketmaster LLC*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION JUDICIAL DISTRICT

Complete Entertainment Resources LLC
d/b/a Songkick,

Plaintiff,

v.

Live Nation Entertainment, Inc.;
Ticketmaster LLC,

Defendants.

Ticketmaster LLC,

Counter-Claimant,

v.

Complete Entertainment Resources LLC
d/b/a Songkick,

Counter Defendant.

CASE NO. 2:15-CV-09814 DSF
(AGRx)

**DECLARATION OF WILLIAM M.
FRIEDMAN IN SUPPORT OF
DEFENDANTS AND COUNTER-
CLAIMANT'S MOTION TO
EXCLUDE TESTIMONY OF
PLAINTIFF'S DAMAGE EXPERT
DAVID YURKERWICH**

The Honorable Dale S. Fischer

Date: October 23, 2017

Time: 3:00 PM

Place: Courtroom 7D

1 I, William M. Friedman, declare as follows:

2 1. I am an associate at the law firm of Latham & Watkins LLP, attorneys
3 for Defendant Live Nation Entertainment, Inc. and Defendant and Counter-
4 Claimant Ticketmaster LLC (together, “Defendants”). I am an attorney in good
5 standing in the state of Maryland and the District of Columbia. I have personal
6 knowledge of the facts set forth below, and if called upon to do so, can and will
7 competently testify thereto.

8 2. I am making this Declaration in support of Defendants and Counter-
9 Claimant’s Motion to Exclude Testimony of Plaintiff’s Damage Expert David
10 Yurkerwich.

11 3. Attached hereto as Exhibit 1 is a true and correct copy of the Expert
12 Report of David Yurkerwich, March 13, 2017

13 4. Attached hereto as Exhibit 2 is a true and correct copy of the Rebuttal
14 Expert Report of David Yurkerwich, April 24, 2017.

15 5. Attached hereto as Exhibit 3 is a true and correct copy of the Reply
16 Expert Report of David Yurkerwich, May 8, 2017.

17 6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts
18 from the transcript of the deposition of David Yurkerwich, taken on May 17, 2017.

19 7. Attached hereto as Exhibit 5 is a true and correct copy of the Expert
20 Rebuttal Report of Paul K. Meyer, April 24, 2017.

21 8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts
22 from the Expert Report of Professor Janusz A. Ordovery, April 24, 2017.

23 9. Attached hereto as Exhibit 7 is a true and correct copy of the
24 American Institution of Certified Public Accountants’ (“AICPA”) “Statements on
25 Standards for Valuation Services” regarding “Valuation of a Business, Business
26 Ownership Interest, Security, or Intangible Asset,” available at AICPA’s website,
27 [http://www.aicpa.org/InterestAreas/ForensicAndValuation/Resources/Standards/D](http://www.aicpa.org/InterestAreas/ForensicAndValuation/Resources/Standards/DownloadableDocuments/SSVS_Full_Version.pdf)
28 [ownloadableDocuments/SSVS_Full_Version.pdf](http://www.aicpa.org/InterestAreas/ForensicAndValuation/Resources/Standards/DownloadableDocuments/SSVS_Full_Version.pdf).

1 10. Attached hereto as Exhibit 8 is a true and correct copy of excerpts
2 from Songkick's Statement of Genuine Disputes and Additional Material Facts in
3 Support of its Opposition to Defendants' Partial Motion for Summary Judgment,
4 ECF No. 240.

5 11. Attached hereto as Exhibit 9 is a true and correct copy of Deposition
6 Exhibit Number 444, a list of the alleged trade secrets that Songkick claims were
7 misappropriated by Defendants.

8 12. Attached hereto as Exhibit 10 is a true and correct copy of excerpts
9 from the transcript of the deposition of Josh Block, taken on March 8, 2017
10 pursuant to Federal Rule of Civil Procedure 30(b)(6), authenticating Deposition
11 Exhibit 444 (i.e. Friedman Decl. Ex. 10).

12 13. Attached hereto as Exhibit 11 is a true and correct copy of excerpts
13 from the transcript of the deposition of Daniel Miller, an artist manager employed
14 by Red Light Management, taken on March 2, 2017.

15 14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts
16 from the transcript of the deposition of Defendants' employee Jared Smith, taken
17 on January 27, 2017.

18 15. Attached hereto as Exhibit 13 is a true and correct copy of a document
19 produced in this litigation bearing the beginning Bates number TM00111626
20 (January 18, 2014 email from Rey del Valle to Zeeshan Zaidi and Greg Schmale).

21 16. Attached hereto as Exhibit 14 is a true and correct copy of a document
22 produced in this litigation bearing the Bates number TM00111631 (spreadsheet
23 attached to Jan. 18, 2014 email from Rey del valle to Zeeshan Zaidi and Greg
24 Schmale at TM00111626).

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1 17. Pursuant to Local Rule 7-3, the parties met and conferred regarding
2 the grounds for this Motion on August 25, 2017 and on August 31, 2017 and did
3 not reach an agreement on any of the issues raised, except Songkick acknowledged
4 that it is not seeking unjust enrichment as damages for its Computer Fraud and
5 Abuse Act claim.

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7 I declare under penalty of perjury that the foregoing is true and correct.
8 Executed on September 6, 2017.

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11 William M. Friedman
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